

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
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SHAWN SANDLER) CR. NO. 04-10148-RCL
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**GOVERNMENT'S ASSENTED-TO MOTION TO AMEND INDICTMENT TO
REDACT SURPLUSAGE**

The government hereby moves with the defendant's assent to amend the Indictment to redact the phrase "and an explosive" from the first sentence of Counts One and Two. Amending the Indictment to remove this phrase is appropriate because the government does not contend that the defendant used an explosive in either arson underlying the Counts, and the phrase is thus surplusage whose redaction does not affect the nature of the substantive charges against the defendant. Further, the charging documents of two other related defendants also charged with arson does not contain the phrase, see United States v. Todd F. Leccese, Cr. No. 04-10366-MLW; United States v. Jose Muniz, Cr. No. 05-10270-RGS, and the redaction of the phrase here would reconcile an unintended disparity in the wording of the charging documents.

Respectfully submitted,

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